



SUBDIVISION VACATION APPLICATION

Teton County, Idaho

The Planning Staff will review this application for completion, and then schedule a public hearing by the Board of County Commissioners. The Board shall make a decision to approve or deny the application.

To expedite the review of your application, please be sure to address each of the following items.

TO BE CONSIDERED A COMPLETE APPLICATION EACH ITEM HAS TO BE ADDRESSED
Disclaimer: Receipt of this submission of application materials does not represent acceptance or approval of submitted items or a complete application.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Teton Investors Inc. / Andrew Snow
Applicant: Teton County E-mail: arutherford@co.teton.id.us
Phone: (208) 354-2593 Mailing Address: 150 Courthouse Dr. Rm 107
City: Driggs State: ID Zip Code: 83422

Name of Subdivision: Evergreen Grove
Address: 10250 S 1750 W Section: 22 Township: 3 Range: 45
Legal Description: part of SW 1/4 NW 1/4 section
Total Acres: 23 Total Lots: 5 Zoning: A-2.5

- | | |
|---|---|
| <input type="checkbox"/> Fee | <input type="checkbox"/> Latest recorded deed to the property |
| <input type="checkbox"/> Survey and plat to be recorded | <input type="checkbox"/> Letter of Authorization |
| <input type="checkbox"/> List of all property owners affected | <input type="checkbox"/> Taxes Current |

I, the undersigned, understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning and Zoning Commission public meeting.

• Applicant Signature: [Signature] Date: 05/09/2011

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: _____ Date: _____

Fees are non-refundable.

SECTION II: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

1. A survey map showing the area requested to be vacated showing:
2. Perimeter, dimensions and topography of the property.
3. The names and locations of all streets bordering the property.
4. The location of all easements or rights-of-way.
5. The location and dimensions of present and proposed structures.
6. Existing wells
7. That the subdivision vacation will not leave real property adjoining the highway or public right of way without access to the public highway or right of way.
8. Relocation plan of utilities

SECTION III: ANALYSIS REASONING AND FACT FINDING IN CONSIDERATION AND ACCORDANCE WITH THE ABOVE LISTED CRITERIA

1. Each exception to otherwise applicable restrictions shall be identified and the reasons provided
2. The subdivision or PUD is consistent with the public health, safety and welfare of the county.
3. The PUD contains the minimum of open space required by this title or amount of open space agreed to in the plans and plat.

SECTION IV: STAFF SUMMARY

Required Notification in accordance with Title 50, Chapter 13, Section 1306A of the Idaho Code

This hearing has been duly noticed in the Teton Valley News and notification shall be notified via mail to surrounding property owners in accordance with Idaho Code 50-1306A. Letters for surrounding property owners must be submitted no later than 30 days prior to the hearing to the Planning & Zoning Office addressed with proper postage for mailing by the Office Staff.



STAFF REPORT

VACATION APPLICATION: EVERGREEN GROVE SUBDIVISION

Prepared July 25 for the August 11, 2011
Board of County Commissioners Public Hearing

OWNER: Andrew Snow

APPLICANT: Teton County, ID

REQUESTS:

Teton County, ID is applying to vacate the entitlements for the Evergreen Grove Subdivision recorded in 2005. The development agreement states that the improvements shall be completed within two years of the recording date (June 19, 2005). To date, improvements have not been started, putting the developer in breach of contract. Because of this lack of performance, the County is applying to vacate the entitlements to this subdivision.

CODES:

Teton County Subdivision Ordinance Section 9-3-2 (D-2-n-i) Revocation by Board of County Commissioners. *The Board of County Commissioners may revoke a subdivision or Planned Unit Development upon failure to comply with the conditions of approval of a final plat or subdivision extension, upon the violation of any of the provisions of this Title, or for misrepresentations or material omissions made to the Planning Commission or to the Board of County Commissioners. (amd. 9-17-09)*

Teton County Subdivision Ordinance Section 9-7-1 Application Procedure and 9-7-2 Vacation of Plats Procedure.

LEGAL DESCRIPTION:

A portion of the SW ¼ of the NW ¼ of Section 22
Township 3 North, Range 45 East

LOCATION: 1750 W 10250 S – South and West of the City of Victor

PROPERTY SIZE: 23 acres, 5 lots

ZONING: Underlying zoning is A-2.5.

OVERLAYS: None

PLANNING STAFF RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the Evergreen Grove vacation application based on the fact that the developer is in breach of contract and the idea that the elimination of 5 lots is a public benefit.

VICINITY MAP

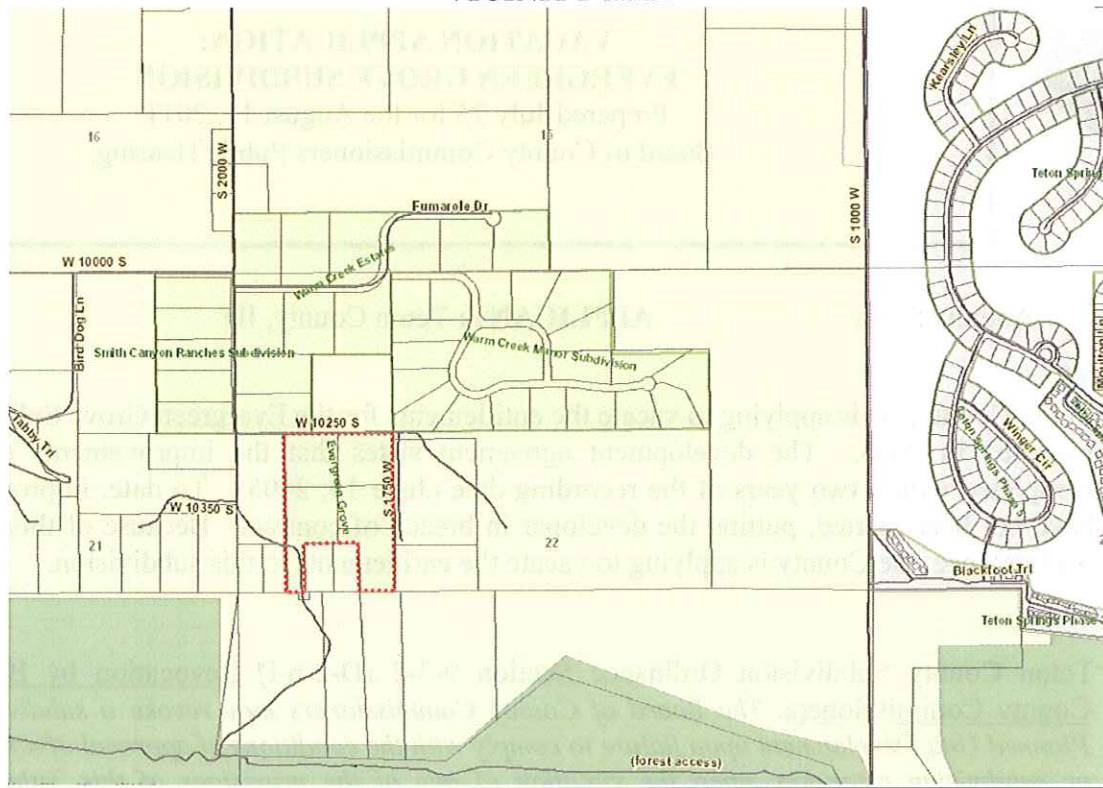


Figure 1: Evergreen Grove Vicinity Map

BACKGROUND INFORMATION

On May 9, 2011, the Board of County Commissioners sent, via certified mail, a letter to the owners of Evergreen Grove Subdivision informing them that because of the lack of performance of subdivision improvements, the County would be applying to vacate the subdivision entitlements on this property. The County, therefore, is applying to vacate the subdivision entitlements based on a lack of performance of the development agreement contract on the part of the developer, i.e. they have not started or completed the infrastructure improvements outlined in the development agreement.

STAFF ANALYSIS

It is the planning staff's opinion that vacating the current subdivision entitlements is in the public's best interest because it reduces the number of lots available in Teton County that are decreasing market values County-wide. The owner is free to come back to the County at any time to re-apply for subdivision entitlements under the then-current ordinance. This vacation application stems from the lack of performance on the developer's part in not upholding his end of the development agreement and cannot be considered a taking.

COMPLIANCE WITH 2004 – 2010 TETON COUNTY COMPREHENSIVE PLAN**Chapter 5 Property Rights:**

Policy 3: The land use ordinances and actions of Teton County, including the policies, restrictions, conditions and fees, shall not violate private property rights, shall minimize adverse impact on property values and minimize technical limitation on the use of property consistent with state and federal constitution and statutory law. Implementation is implicit in and mandated by state and federal law.

Staff response: The glut of platted, vacant subdivision lots in Teton County is a detriment to property values. Reducing the number of lots County-wide will work towards relieving this glut.

Chapter 7 School Facilities and Transportation:

Policy 1: *Planning decisions and efforts must emphasize providing infrastructure and services to the growing population and provide means for growth to pay its way. Growth trends over the past decade and growth projections for the coming decade indicate that providing infrastructure and services will be a bigger challenge than attracting new residents and business.*

Staff response: The scattered growth pattern in Teton County will become increasingly more difficult and expensive to provide services as build-out occurs. Even the five lots, valued at \$375,235 each, will cost the County \$1,688 annually and \$13,486 in one-time capital improvement costs as calculated by the fiscal impact calculator (see attachment).

Chapter 8 Economic Development

Policy 3: *One of the county's prime economic values is the attraction of a rural, small town lifestyle, magnificent views, clean air and water, and abundances of outdoor recreational opportunities. Development and land use proposals that support and balance these values with desirable growth should be encouraged.*

Staff response: As more lots become developed in the rural areas of the County, the small-town feel of the area becomes more compromised.

Chapter 9 Land Use

Policy 1: *Protect open space throughout the County. Enhance the mechanisms available to incorporate the same in developments.*

Staff response: Evergreen Grove is a standard subdivision without any dedicated open space, which was not required for approval of this subdivision. Returning the development to acreage would put it back into open space until a future development application was received in the planning department.

Policy 4: *Higher density developments should be located within or near the cities or within or near their areas of impact. Developments in the unincorporated county may be based on the density based zoning concept which will provide significant open space.*

Staff response: This project consists of 5 lots from 3.9 to 4.6 acres in size. While this subdivision is outside of the area of impact, it is within a mile of the City of Victor. This density is not high enough to be considered high density near a city, nor is it low enough to be appropriate that close to the City. Returning the development to acreage would allow a future application to provide density in that area that is appropriate for its proximity to the City of Victor.

Chapter 10 Natural Resources:

Policy 6: *Ensure that noxious weeds are consistently and effectively controlled in compliance with state regulations and guidelines.*

Staff response: Approximately 4-acre lots are very difficult to maintain and keep weed-free, especially in the absence of lot owners. Returning this development to acreage would allow the property to continue in agricultural production which would diminish weed problems on the land.

Chapter 17 Community Design

Policy 1: *Encourage the preservation of the scenic vistas, open space, mountains, forests, night skies and wetlands.*

Policy 2: *Encourage the preservation of the county's rural character.*

Staff response: Returning this subdivision to acreage will preserve open space and contribute to the rural character of the County.

CONSISTENCY WITH THE APPLICABLE TETON COUNTY SUBDIVISION CODE

Teton County Title 9, the Subdivision Ordinance, does not outline criteria for approval for a plat vacation. It does, however, state that "the Board of County Commissioners may revoke a

subdivision or Planned Unit Development upon failure to comply with the conditions of approval..." This provision has been in the Teton County Subdivision Code since 1994. Clearly, the developer has failed to comply with the conditions of the approval, as outlined in the development agreement that was recorded on May 19, 2005.

TECHNICAL COMMENTS

A 12' irrigation and utility easement runs across the subdivision plat to provide water from the east side of the property to the west side. The 16.5' utility easement along the north portion of the property could be used for irrigation.

There are two lots in the southern notch of the property that were landlocked before the subdivision was created and will go back to being landlocked. There is no language on the plat that designates the road, Evergreen Trail, as an easement to those lots, in fact, the plat states that, "all roads are for the use of the lot owners to access their individual lots and are to be privately owned." The owners of those lots would need to get an easement across the property to have access to their lots.

Taxes are paid in full.

PUBLIC NOTICE:

1. Legal ads were made to the Teton Valley News in accordance with local and state requirements.
2. A development notification was mailed to the property owner, the landowners within 300 feet and to those who own land within subdivisions within 300 feet of the subject property.

COMMENTS FROM NOTIFIED NEIGHBORS AND GENERAL PUBLIC

The current owner wrote a "no contest" letter for this vacation application.
City of Victor planner, Bill Knight, wrote a letter of support.

FINDINGS OF FACT:

1. The Teton County Title 9 Subdivision Ordinance allows for the "revocation" of entitlements upon failure to comply with the conditions of approval of a subdivision.
2. The developer is in breach of the development agreement by not having complied with the conditions of approval of the subdivision.
3. The elimination of these subdivision entitlements would not cause harm to the residents of Teton County.

PLANNING & ZONING ACTION:

- A. APPROVE the vacation as presented.
- B. APPROVE WITH CONDITIONS, which are enumerated in this staff report, and others the Board might add.
- C. DENY the vacation application and provide the reasons and justifications for the denial.
- D. CONTINUE consideration of the application to a future public hearing with reasons given as to the continuation or need for additional information.

RECOMMENDATION:

Action A: A motion that references the required findings in the code that this vacation application is appropriate. Here is a suggested motion that could be used to approve the vacation.

I move to APPROVE the Evergreen Grove vacation application as described and depicted in the application materials contained in the review packet. We have determined that the procedural requirements for the vacation have been

satisfactorily met and that the findings of fact support this vacation application.

Report prepared by Planner Angie Rutherford

Attachments:

Application Materials

Letters from Andrew Snow and City of Victor Planner, Bill Knight

City of Victor
P.O. Box 122
32 Elm Street
Victor, Idaho 83455



(208) 787-2940
FAX (208) 787-2357
craigs@victorcityidaho.com

Teton County Planning & Building Department
150 Courthouse Drive
Driggs, ID 83422

Re: Evergreen Grove and Warm Creek Manor Subdivision Vacations.

Dear Ms. Rutherford;

Thank you for this opportunity to comment on the above two subdivision vacations. The City of Victor supports the County's efforts to modify those existing subdivision plats in recognition of our changed economic conditions and a more sustainable development pattern.

In general, the City supports reduced suburban and exurban development intensity in the County and supports an emphasis on municipal infill development within the cities. The City of Victor sees no negative issues associated with this proposal. We commend you for your time and effort in these endeavors.

Sincerely,

A handwritten signature in purple ink that reads 'William Knight'.

William Knight
Planning Director

June 1, 2011



Teton County Board of Commissioners
150 Courthouse Drive
Driggs, ID 83422

To The Teton County Board of Commissioners

We are in receipt of your letter dated May 9, 2011 with regards to the vacating of the Evergreen Grove subdivision in Victor, ID.

We do not plan to appeal this judgment and ask the County vacate the subdivision per the schedule outlined in the letter. Our no-contest is with the obvious understanding that the development bond funds being held by the County will be refunded, in full, on a timely basis.

Please direct any questions to Bill Graham at (847) 274-7946.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. S. Graham".

William S. Graham
241 Melrose Ave
Kenilworth, IL 60043

A handwritten signature in blue ink, appearing to read "Andrew Snow".

Andrew Snow
241 Cumberland Ave
Kenilworth, IL 60043

DOW FELCLE
208-354-8775



8/18

Board of County Commissioners

To: Andrew Snow
241 Cumberland Ave.
Kenilworth, IL 60043

Date: May 9, 2011

Re: Expired Subdivision

Dear Andrew Snow,

You are in breach of your development agreement because 1) your timeline for infrastructure completion has expired and 2) our records show you have not started the infrastructure improvements for the subdivision and that 3) the County Engineer has not inspected and approved your subdivision's improvements.

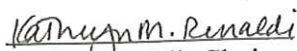
Section 9-3-2-D-2-L of Title 9 (the Subdivision Regulations) states that, "*The Board of County Commissioners may revoke a subdivision or Planned Unit Development upon failure to comply with the conditions of approval of a final plat or subdivision extension, upon the violation of any of the provisions of this Title, or for misrepresentations or material omissions made to the Planning Commission or to the Board of County Commissioners.*" Therefore, the Board of County Commissioners has applied to vacate Evergreen Grove subdivision by authority of this section of code and Idaho State Code 50-1306A. The vacation will be heard at the July 14, 2011 Board of County Commissioners Public Hearing. We encourage you to attend the hearing and an appeals process shall be provided pursuant to Idaho State Code 50-1322.


This letter serves as formal notice that no construction activity can take place in your subdivision. A violation is a misdemeanor and a separate offense is deemed committed for every day you are in violation.

If you have any questions about this notice, please call the Teton County Planning Department at 208-354-2593.

We look forward to hearing from you,

Teton County Board of County Commissioners


Kathy Rinaldi, Chair


Bob Benedict


Kelly Park

Cc: Teton County Title
Alliance Title
First American Title Company

Ange

2593 x 204

Teton County, Idaho

Project Profile

Project Name	Evergreen Grove
Number of Dwelling Units	5
Distance out County Roads	1-3 Miles
Daily Vehicle Miles Traveled	97
Value of One Lot with a Dwelling Unit	\$375,235

	Cost Per Dwelling Unit	Property Tax and Other Revenues Per Dwelling Unit
Annual Operations and Maintenance for All County Services	\$1,651	\$1,313
Capital Facilities County Total for All County Services	\$5,185	\$2,488
Cost-Benefit Per Dwelling Unit		
Annual Operations and Maintenance Cost-Benefit	-\$338	
Capital Facilities Cost-Benefit	-\$2,697	

Cost-Benefit of
Evergreen Grove

Operations and Maintenance		Capital Improvements
Annual Cost-Benefit		One-Time Cost-Benefit
Road Fund	-\$386	-\$10,358
General Fund	-\$1,254	-\$2,042
Special Revenue Funds	-\$48	-\$1,086
Total Cost-Benefit	-\$1,688	-\$13,486

Angie Rutherford

From: Maureen Green
Sent: Tuesday, July 26, 2011 8:04 AM
To: Angie Rutherford
Subject: RE: Taxes

Good Morning Angie,

The 2010 taxes for Andrew Snow-Lots 1-5 of Evergreen Grove are paid in full.

Warm Creek Estates LLC – Park, Roads and Lots 1-19 Warm Creek Manor have 2009 and 2010 taxes delinquent totaling approx. \$377.00.

Please let me know if you have any other questions.

Thanks,

Maureen

From: Angie Rutherford
Sent: Monday, July 25, 2011 2:18 PM
To: Maureen Green
Subject: Taxes

Hi Maureen,

Could you please tell me if Teton Investors/Andrew Snow is up to date on taxes for Evergreen Grove AND if Warm Creek Estates LLC is up to date on taxes for Warm Creek *Manor* (not Estates)?

Thanks,

Angie

Angie Rutherford
Planner, Teton County, Idaho
150 Courthouse Drive
Driggs, ID 83422
208 354-2593
arutherford@co.teton.id.us
www.tetoncountyidaho.gov



_____ Information from ESET NOD32 Antivirus, version of virus signature database 6324 (20110725)

_____ The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 6324 (20110725)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Information from ESET NOD32 Antivirus, version of virus signature database 6326 (20110726)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Information from ESET NOD32 Antivirus, version of virus signature database 6326 (20110726)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

RECEIVED

MAY 19 2005

TETON CO., ID
CLERK RECORDER

168128

DEVELOPMENT AGREEMENT
FOR
Evergreen Grove Subdivision

THIS AGREEMENT is made and entered into this 11 day of October, 2002 by and between Teton Investors Inc. and Teton County, Idaho.

It is the intent and purpose of the Developer to meet the conditions of approval for the final plat allowing the creation of Evergreen Grove Subdivision, as approved by the Teton County Commission on _____, 2002; and

It is the intent and purpose of the Developer to obtain final plat approval for the subdivision; and it is the intent and purpose of the Developer and Teton County to enter into this Agreement, which will guarantee the full and satisfactory completion of the public improvements on the property described in this Agreement and it is the intent of the Agreement and the parties to satisfy the public improvement guarantee requirements for the final plat recordation and beginning of the build out of the public improvements of the subdivision.

In consideration of the mutual covenants and conditions contained herein, it is agreed as follows:

Section 1. Subdivision Description. This agreement pertains to and includes that property, which is designated and identified as Evergreen Grove Subdivision, located in Section 22, Township 3N, Range 45E in Teton County, Idaho.

Section 2. Improvements and Time of Completion. The Developer shall, at its own cost and expense, complete the road construction, the telephone, the power, and the fire protection pond. The Developer agrees to install a street sign at the entrance of the subdivision. The estimated costs to complete these improvements are shown on Exhibit A of this Agreement. The Developer shall not transfer construction and responsibility of public improvements to current or prospective lot owners. The construction shall begin on or before June 30, 2005 (or as soon as weather permits) for the public improvements and shall be completed for inspection by the County by June 1, 2006.

Section 3. Schedule for Completion of the improvements. The Developer shall complete the road improvements, the telephone, the power and fire protection within two (2) years of the recording of the final plat. A one (1) year extension may be approved by the Planning and Zoning Commission for completion of the public improvements for unavoidable delays caused by employment strikes, lockouts, Acts of God, or other factors beyond the control of the Developer. Teton County shall have the authority to use the funds in the financial guarantee to complete the public improvements if the developer does not complete them by the completion date stated in this Agreement.

Section 4. Inspection. Representatives of the County shall have the right to enter upon the property at any reasonable time to inspect and to determine whether the Developer is in compliance with this Agreement. The Developer shall permit the County and its representatives to enter upon and inspect the property at reasonable times.

Section 5. Final Inspection and Approval of Improvements. The Developer shall notify the County when it believes that the improvements have been fully and properly completed and shall request final inspection, approval and acceptance of the improvements by the County. Upon approval the county shall give its written acceptance of the improvements.

Section 6. One-Year Guarantee of the Improvements. The Developer guarantees the prompt

Instrument # 168128

DRIGGS, TETON, IDAHO

2005-05-19

01:50:05 No. of Pages: 3

Recorded for: A W ENGINEERING

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: AGREEMENT

168128

and satisfactory correction of all defects and deficiencies in the improvements that occur or become evident within one year after acceptance of the improvements by the County. If such defect or deficiency occurs or becomes evident during such period, and then the Developer shall, within ten days after written demand by the County to do so, correct it or cause it to be corrected. If the defect or deficiency cannot be reasonably corrected within ten days after written demand from the County, the Developer shall commence the correction of the deficiency within the ten-day period and proceed with reasonable diligence to correct the same or cause it to be corrected. The guarantee provided by this Section shall be extended for a full year from the date of repair or replacement of any improvements repaired or replaced pursuant to such demand.

Section 7. Financial Security Guarantee. As security to the county for the performance by the Developer of its obligations. In case of failure to complete construction of the improvements within the agreed upon time, the developer agrees to transfer the funds or the loan for said improvements to the county for completion of said improvements. Upon completion of the improvements the county agrees to release the guarantee requirement by providing a letter to the developer after final inspection. This guarantee may be reduced proportionate to completed improvements as asked for by the developer.

Section 8. Permits for new Construction. Building permits shall not be issued prior to the approval and recoding of the final plat and the beginning of construction on the public improvements. A certificate of occupancy shall not be issued prior to completion and approval of the public improvements by the county. There will be no sales of record until the final plat has been approved & recorded.

Agreed:

BOARD OF COUNTY COMMISSIONERS, TETON COUNTY, IDAHO

[Signature]
Chairman

PLANNING AND ZONING COMMISSION, TETON COUNTY, IDAHO

[Signature] 5-17-08
Chairman

[Signature]
(Owner/Developer name)

State of Idaho)
)SS

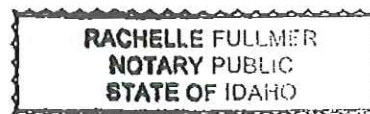
County of Teton)

On this 17 day of May, 2008, before me, a Notary Public for the State of Idaho, personally appeared Travis Thompson, Mark Trupp & Bill McKilton whose name(s) is executed above, and acknowledged that they executed the same.

Notary Public Rachelle Fullmer

Residing Tetonia, Idaho

Commission expires 11-12-2008



168128



P.O. Box 139
Victor, ID 83455
208-787-2952

A-W Engineering

Civil Engineering
Land Surveying
Construction Management

ENGINEER'S FINAL COST ESTIMATE

Evergreen Subdivision, Teton County, Idaho Aug 07, 2002
Travis Thompson P.O. 408 Victor Idaho 83455

	DESCRIPTION	COST/UNIT	UNITS	COST
1	Electrical power service	6.00 / lin ft	1,800	\$ 10,800
2	Telephone service	3.00 / lin ft	1,800	\$ 5,400
3	Fire protection system - Agrrement with Warm Creek Subdivision	None	0	0
4	ROAD SYSTEM 24' Wide gravel road	\$ 12.00 / ft	1260	\$ 15,120
5	Irrigation System	None	0	0
			<u>TOTAL # 4</u>	<u>\$ 31,320.00</u>

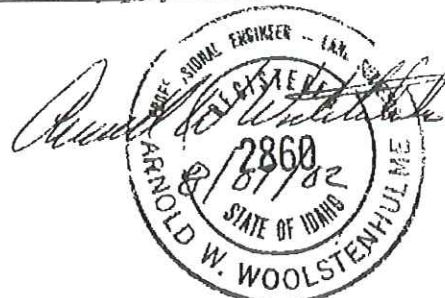
TOTAL PROJECT: \$ 31,320.00

Planning & Zoning requirement of 110% = \$ 34,452.00

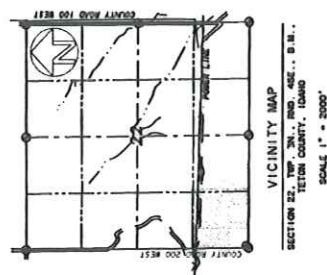
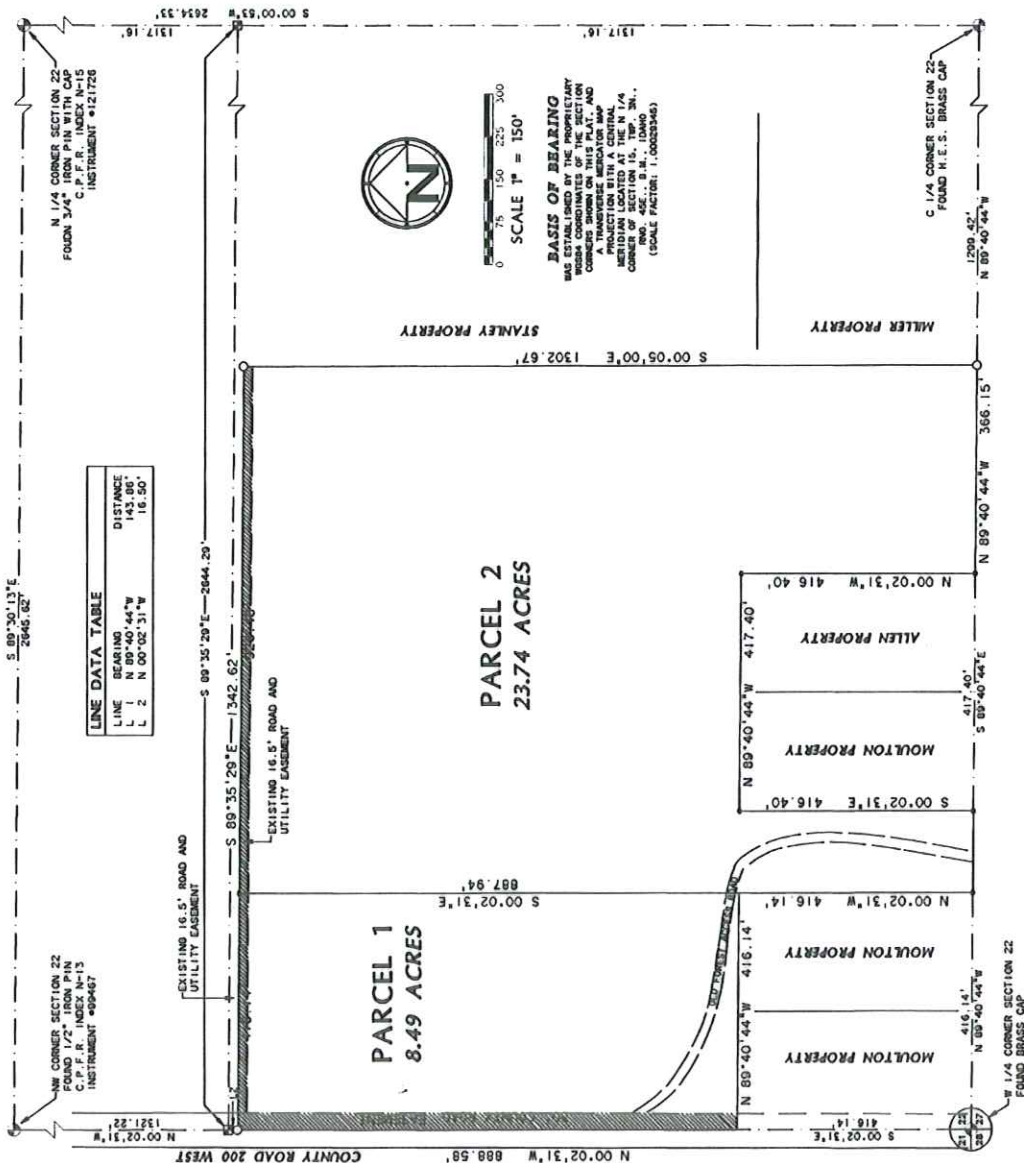
=====

This plan and proposal does not include central water or sewer systems and it is not expected to be required by Teton County.

The road surface is for a 4" crushed gravel road surface which meets county specifications.



168128



PROPERTY DESCRIPTIONS

PARCEL 1
A PART OF THE SW 1/4 NW 1/4 SECTION 22, TWP. 3N., RND. 45E., B.M. 10400, TETON COUNTY, IDAHO, BEING PARTNER DESCRIBED AS:
THENCE N 00°02'31"W, 888.58 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S 89°40'44"W, 143.88 FEET TO A POINT;
THENCE S 00°02'31"E, 887.94 FEET TO A POINT;
THENCE S 89°40'44"W, 416.14 FEET TO THE POINT OF BEGINNING.
CONTAINS 8.49 ACRES, MORE OR LESS.
SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT BEING 30 FEET ON EACH SIDE OF THE EXISTING COUNTY ROAD CENTERLINE.
SUBJECT TO A 16.5 FOOT EASEMENT OF RECORD ALONG THE NORTHERN PROPERTY LINE.

PARCEL 2
A PART OF THE SW 1/4 NW 1/4 SECTION 22, TWP. 3N., RND. 45E., B.M. 10400, TETON COUNTY, IDAHO, BEING PARTNER DESCRIBED AS:
THENCE S 89°40'44"W, 416.14 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S 00°02'31"E, 888.58 FEET TO A POINT;
THENCE S 89°40'44"W, 143.88 FEET TO A POINT;
THENCE S 00°02'31"E, 887.94 FEET TO A POINT;
THENCE S 89°40'44"W, 416.14 FEET TO THE POINT OF BEGINNING.
CONTAINS 23.74 ACRES, MORE OR LESS.
SUBJECT TO A COUNTY ROAD AND UTILITY EASEMENT BEING 30 FEET ON EACH SIDE OF THE EXISTING COUNTY ROAD CENTERLINE.
SUBJECT TO A 16.5 FOOT EASEMENT OF RECORD ALONG THE NORTHERN PROPERTY LINE.

108131

SURVEYOR'S CERTIFICATE
I, ARNOLD W. HOLSTENHUE, BEING A LICENSED SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT I DID CAUSE THE SURVEY OF THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED.
Instrument # 108131
Recorded for: A.W. Holstenhue
Recorded in: TETON COUNTY, IDAHO
Recorded on: 01/17/07, No. of Pages: 1
Recorded by: J.A.W. Holstenhue
Surveyor's Signature: *Arnold W. Holstenhue*

RECORDED - LAND SPLIT

ORIGINAL PLAT # 148371, ROAD EASEMENT CHANGED
A PART OF THE SW 1/4 NW 1/4 SECTION 22,
RND. 3N., RND. 45E., B.M. 10400, TETON COUNTY, IDAHO

AW Engineering
KENNETH T. WARNEKE
JONNA L. WARNEKE
3600 WEST COTTONWOOD
REDBORO, ID 83455
(208) 787-2953
www.awengr.com

PLANNING AND ZONING APPROVAL

ROAD EASEMENT AMENDED TO WEST SIDE OF SECTION CHANGED FROM
EASEMENT WHERE OLD FOREST ACCESS EXISTED.
PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION
ON THE FOLLOWING DATE AT WHICH TIME THIS LAND SPLIT WAS
APPROVED AND ACCEPTED.

Arnold W. Holstenhue
DATE: 5-17-05
CHAIRMAN, PLANNING AND ZONING

LEGEND

- SECTION CORNER FOUND AS NOTED
- FOUND PROPERTY CORNER - 1/2" IRON PIN WITH CAP INSCRIBED: AM END 2860
- SET PROPERTY CORNER - 5/8" IRON PIN WITH CAP INSCRIBED: AM END 2860
- SECTIONAL BREAKDOWN LINE
- EASEMENT - TYPE AND WIDTH AS NOTED

SURVEYED CLC (SPS) 09/28/00 3-45-22 DAT DRAIN NLC 06/11/02 WANKEL'S OOD

